
IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

STEVEN RASMUSSEN,

Plaintiff,

vs.

GENERAL GROWTH PROPERTIES, INC.,
and PROVO MALL, LLC,

Defendants.

ORDER ADOPTING REPORT &
RECOMMENDATION

Case No. 2:04-CV-00099 PGC

Before the court is United States Magistrate Judge Brooke C. Wells's Report and Recommendation dated November 8, 2005, which recommends that the court deny Mr. Rasmussen's motion for summary judgment (# 81) and motion to change venue (# 89), and that the court grant defendants' motion to strike (# 83).

The parties have been properly notified of their right under 28 U.S.C. § 636(b) to object to the Report and Recommendation, and of the requirement to file any such objections with the clerk of the court within ten (10) days of receiving Judge Wells's Report. As of the date of this order, the court has not received any objections from either party.

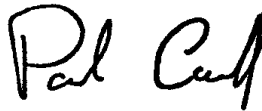
After reviewing all relevant materials, including the reasoning set forth in Judge Wells's Report and Recommendation, the court ADOPTS the Report and Recommendation. The court

therefore ORDERS that Mr. Rasmussen's motion to change venue (# 89) is DENIED. Mr. Rasmussen's motion for summary judgment (# 81) also is DENIED. Defendants' motion to strike (# 83) is GRANTED; as such, docket numbers 81 and 82 are STRICKEN.

SO ORDERED.

DATED this 29th day of November, 2005.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Paul Cassell". The signature is written in a cursive, flowing style.

Paul G. Cassell
United States District Judge